

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16502 of 2017

Arising Out of PS.Case No. -229 Year- 2014 Thana -ITADHI District- BUXAR

=====

Butan Ram, Son of Late Banarasi Ram, Resident of Village- Gosaiai
Dihara, Police Station- Dhansoin, District- Buxar.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Gopesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

7 10-01-2018

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Ithari P.S. Case no. 229 of 2014, registered under Sections 403, 408
and 409 of the Indian Penal Code.

The accusation is that petitioner being the Headmaster of
Middle School, Jaipur, Itadhi received money for construction of the
school building, but the construction work could not be done and he
has misappropriated Rs. 3,00,762/-.

Learned counsel for the petitioner submits that
admittedly the petitioner was the then Headmaster of Middle School,
Jaipur, Itadhi and under his supervision, the construction work of the
school building was to be done, while at the time of lodging of the
present case the construction work of the school building was not
completed, but subsequently, he completed the construction work of



the school building and in this regard Vinod Kumar, present Headmaster of Middle School, Jaipur, Itadhi has issued a certificate regarding completion of construction work of the school building, which would appear from Annexure-2 to this petition.

In spite of seeking time on behalf of the State, no counter affidavit has been filed to convert the statement made in paragraph 7 of the petition regarding the Certificate (Annexure-2) issued by the present Headmaster of school in respect to completion of construction work of the school building.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in connection with Itadhi P.S. Case No. 299 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

